

AMENDED IN ASSEMBLY APRIL 4, 2016
AMENDED IN ASSEMBLY MARCH 16, 2016
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2057

Introduced by Assembly Member Mark Stone

February 17, 2016

An act to amend ~~Section 18904.1~~ of Sections 18904.25 and 18926.5 of, and to add Section 18914.5 to, the Welfare and Institutions Code, relating to CalFresh.

LEGISLATIVE COUNSEL'S DIGEST

AB 2057, as amended, Mark Stone. ~~CalFresh: application information.~~
CalFresh: victims of domestic violence.

Existing federal law provides for the federal Supplemental Nutrition Assistance Program (SNAP), known in California as CalFresh, formerly the Food Stamp Program, under which supplemental nutrition assistance benefits allocated to the state by the federal government are distributed to eligible individuals by each county. Existing federal law authorizes a resident of a shelter for battered women and children, as defined, who is currently included in a certified household that also contains the abuser, to apply and, if otherwise eligible, receive an additional allotment of benefits as a separate household. Existing federal law requires a county human services agency to provide CalFresh expedited services to certain households.

This bill would, to the extent permitted by federal law, regulations, waivers, and directives, authorize a resident of, or an individual on a waiting list to get into, a shelter for battered women and children who is currently included in a certified household that also contains the

abuser, to apply for, and, if otherwise eligible, would provide that the resident or individual is entitled to, expedited services of an additional allotment of CalFresh benefits as a separate household. By imposing additional duties for local officials, this bill would impose a state-mandated local program.

Existing law requires the State Department of Social Services to develop and make available to homeless shelters, among other locations, CalFresh information on expedited services targeted to the homeless population. Existing law requires each county welfare department to annually offer training on CalFresh application procedures to homeless shelter operators.

This bill would additionally require the department to develop and make available to domestic violence shelters CalFresh information on expedited services targeted to victims of domestic violence, and would require each county human services agency to annually offer training on CalFresh application procedures to domestic violence shelter operators. By imposing additional duties for local officials, this bill would impose a state-mandated local program.

Existing law authorizes counties to participate in the CalFresh Employment and Training program (CalFresh E&T), established by federal law, and requires participating counties to screen CalFresh work registrants to determine whether they will participate in, or be deferred from, CalFresh E&T. Existing law defers from mandatory placement in CalFresh E&T specified individuals, including an individual who is a veteran who has been honorable discharged from the United States Army.

This bill would additionally defer from mandatory placement in CalFresh E&T, an individual who is a victim of domestic violence.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

~~Existing law provides for the federal Supplemental Nutrition Assistance Program (SNAP), known in California as CalFresh, under which supplemental nutrition assistance benefits allocated to the state by the federal government are distributed to eligible individuals by each~~

county. Existing law requires the State Department of Social Services to administer the CalFresh program, as specified. Existing law also requires the director to maintain methods for over-the-counter issuance that guarantee program accessibility in all cases when a household has been found to be in immediate need of food assistance or when a household has been determined to be eligible for the replacement of a previous issuance of CalFresh benefits.

~~This bill would require the department and county officials to act pursuant to all federal authority to ensure that the replacement of a previous issuance of CalFresh benefits is made available as expeditiously as possible for all eligible recipients, as specified. The bill would also authorize, if a recipient is eligible for a replacement of a previous issuance, the benefit to be issued by the county human services agency in the county where the recipient currently resides or in the county where the recipient received a previous issuance. The bill would require, if a recipient is eligible for a replacement of a previous issuance because he or she is a victim of domestic violence, the replacement benefit to be issued in a manner that does not allow for any information about the replacement or its request to be accessible to the person whom the recipient is fleeing. By imposing a higher level of service on county employees, the bill would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 18904.25 of the Welfare and Institutions
- 2 Code is amended to read:
- 3 18904.25. (a) Pursuant to the federal Stewart B. McKinney
- 4 Homeless Assistance Act (Public Law 100-77), the department
- 5 shall develop CalFresh information on expedited services targeted
- 6 to the homeless population, including unaccompanied homeless
- 7 children and youths, as those terms are defined in Section 11434a

1 of Title 42 of the United States Code. *The department shall also*
2 *develop information on expedited services specified in Section*
3 *18914.5 for victims of domestic violence.* This information shall
4 be made available to homeless shelters, *domestic violence shelters,*
5 emergency food programs, local educational agency liaisons for
6 homeless children and youths, designated pursuant to Section
7 11432(g)(1)(J)(ii) of Title 42 of the United States Code, and other
8 community agencies who provide services to ~~homeless people.~~
9 *people who are homeless.*

10 (b) Each county ~~welfare department~~ *human services agency*
11 shall annually offer training on CalFresh application procedures
12 to homeless shelter *and domestic violence shelter* operators. That
13 training shall include eligibility criteria and specific information
14 regarding the eligibility of unaccompanied homeless children and
15 ~~youths.~~ *youths and victims of domestic violence.* In addition, each
16 county ~~welfare department,~~ *human services agencies,* upon request,
17 shall provide homeless shelters *and domestic violence shelters*
18 with a supply of that portion of the CalFresh application used to
19 request CalFresh expedited service.

20 (c) Upon receipt of a signed CalFresh application from an
21 unaccompanied child or youth under 18 years of age, the county
22 ~~welfare department~~ *human services agency* shall determine
23 eligibility for CalFresh benefits, including making a determination
24 of whether the child or youth is eligible to apply as a household
25 of one or if he or she must apply with members of a household
26 with whom he or she is regularly purchasing and preparing foods,
27 and screen the application for entitlement to expedited service
28 pursuant to Section 18914. If the application of the child or youth
29 for CalFresh benefits is denied, the county ~~welfare department~~
30 *human services agency* shall provide the child or youth a written
31 notice explaining the reason for the denial.

32 SEC. 2. Section 18914.5 is added to the Welfare and Institutions
33 Code, to read:

34 18914.5. (a) *To the extent permitted by federal law,*
35 *regulations, waivers, and directives, a resident of, or an individual*
36 *on a waiting list to get into, a shelter for battered women and*
37 *children who is currently included in a certified household that*
38 *also contains the abuser, may apply for and, if otherwise eligible,*
39 *shall be entitled to expedited services of an additional allotment*
40 *of CalFresh benefits as a separate household.*

1 (b) For purposes of this section, “shelter for battered women
2 and children” has the same meaning as provided in Section 271.2
3 of Title 7 of the Code of Federal Regulations.

4 SEC. 3. Section 18926.5 of the Welfare and Institutions Code
5 is amended to read:

6 18926.5. (a) For the purposes of this chapter, “CalFresh
7 Employment and Training program” or “CalFresh E&T” means
8 the program established under Section 6(d)(4)(B) of the federal
9 Food and Nutrition Act of 2008 (7 U.S.C. Sec. 2015), Section
10 273.7 of Title 7 of the Code of Federal Regulations, and associated
11 administrative notices published by the United States Department
12 of Agriculture with the purpose of assisting members of CalFresh
13 households in gaining skills, training, work, or experience that will
14 increase their ability to obtain regular employment.

15 (b) (1) A county that elects to participate in the CalFresh
16 Employment and Training (CalFresh E&T) program, as authorized
17 by the federal Food and Nutrition Act of 2008 (7 U.S.C. Sec. 2015),
18 shall screen CalFresh work registrants to determine whether they
19 will participate in, or be deferred from, ~~the CalFresh E&T program.~~
20 *CalFresh E&T*. If deferred, a CalFresh work registrant may request
21 to enroll in ~~the CalFresh E&T program~~ as a voluntary participant.
22 An individual shall be deferred from a mandatory placement in
23 ~~the CalFresh E&T program~~ if he or she satisfies any of the criteria
24 in Sections 273.7 and 273.24 of Title 7 of the Code of Federal
25 Regulations, if he or she resides in a federally determined work
26 surplus area, ~~or~~ if he or she is a veteran who has been honorably
27 discharged from the United States Armed ~~Forces~~. *Forces, or if he*
28 *or she is a victim of domestic violence.*

29 (2) For purposes of this section, “deferred” has the same
30 meaning as exempt.

31 (c) (1) A county ~~that elects to participate in the~~ *participating*
32 *in* CalFresh E&T ~~program~~ shall be required to demonstrate in its
33 CalFresh E&T plan how it is effectively using CalFresh E&T funds
34 for each of the components that the county offers, including, but
35 not limited to, any of the following:

36 (A) Self-initiated workfare.

37 (B) Work experience or training.

38 (C) Education.

39 (D) Job search.

1 (E) The support services or client reimbursements needed to
2 participate in subparagraphs (A) to (D), inclusive, as allowed by
3 federal law and guidance.

4 (2) Nothing in this section shall be construed to require a county
5 to offer a particular component as a part of its CalFresh E&T plan.

6 (d) Nothing in this section shall limit a county's ability to
7 condition the receipt of nonmedical benefits under Section 17000
8 on an individual's participation in an employment and training or
9 workfare program of the county's choice, even if that program is
10 financed in whole or in part with CalFresh E&T funds or match
11 funds.

12 (e) Nothing in this section shall restrict the use of federal funds
13 for the financing of CalFresh E&T programs.

14 (f) Nothing in this section shall be construed to require a county
15 to provide for workers' compensation coverage for a CalFresh
16 E&T participant. Notwithstanding Division 4 (commencing with
17 Section 3200) of the Labor Code, a CalFresh E&T participant shall
18 not be an employee for the purposes of workers' compensation
19 coverage coverage, and a county shall have no duty to provide
20 workers' compensation coverage for a CalFresh E&T participant.

21 (g) Notwithstanding the rulemaking provisions of the
22 Administrative Procedure Act (Chapter 3.5 (commencing with
23 Section 11340) of Part 1 of Division 3 of Title 2 of the Government
24 Code), the department may implement this section by all-county
25 letters or similar instructions. Thereafter, the department shall
26 adopt regulations to implement this section by October 1, 2013.

27 *SEC. 4. If the Commission on State Mandates determines that*
28 *this act contains costs mandated by the state, reimbursement to*
29 *local agencies and school districts for those costs shall be made*
30 *pursuant to Part 7 (commencing with Section 17500) of Division*
31 *4 of Title 2 of the Government Code.*

32 ~~SECTION 1. Section 18904.1 of the Welfare and Institutions~~
33 ~~Code is amended to read:~~

34 ~~18904.1. (a) The director, to the extent permitted by federal~~
35 ~~law, shall establish methods for CalFresh benefit issuance in all~~
36 ~~counties that guarantee to low-income households the health-vital~~
37 ~~nutritional benefits available under this chapter and to achieve the~~
38 ~~most efficient system for program administration so as to minimize~~
39 ~~administrative costs.~~

1 ~~(b) The director shall maintain methods for over-the-counter~~
2 ~~and mail issuance of CalFresh benefits in a county until issuance~~
3 ~~of CalFresh benefits by electronic benefits transfer for all CalFresh~~
4 ~~recipients in the county has been implemented pursuant to Chapter~~
5 ~~3 (commencing with Section 10065) of Part 1.~~

6 ~~(e) County human services agencies shall maintain methods for~~
7 ~~over-the-counter issuance that guarantee program accessibility in~~
8 ~~all cases when a household has been found to be in immediate~~
9 ~~need of food assistance or when a household has been determined~~
10 ~~to be eligible for the replacement of a previous issuance.~~

11 ~~(d) The department and county officials shall act pursuant to~~
12 ~~all federal authority to ensure that the replacement of a previous~~
13 ~~issuance of CalFresh benefits is made available as expeditiously~~
14 ~~as possible for all eligible recipients, using the methods established~~
15 ~~pursuant to subdivision (c).~~

16 ~~(e) (1) If a recipient is eligible for a replacement of a previous~~
17 ~~issuance, the benefit may be issued by the county human services~~
18 ~~agency in the county where the recipient currently resides or in~~
19 ~~the county where the recipient received a previous issuance.~~

20 ~~(2) If a recipient is eligible for a replacement of a previous~~
21 ~~issuance because he or she is a victim of domestic violence, the~~
22 ~~replacement benefit shall be issued in a manner that does not allow~~
23 ~~any information about the replacement or its request to be~~
24 ~~accessible to the person from whom the recipient is fleeing.~~

25 ~~SEC. 2. If the Commission on State Mandates determines that~~
26 ~~this act contains costs mandated by the state, reimbursement to~~
27 ~~local agencies and school districts for those costs shall be made~~
28 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
29 ~~4 of Title 2 of the Government Code.~~